

## DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT

BY:  COMPLAINT  INFORMATION  INDICTMENT SUPERSEDING

## OFFENSE CHARGED

21 U.S.C. §§ 846, 841(a)(1), & (b)(1)(A)(vi) – Conspiracy to  
Dist. & PWID Fentanyl  
21 U.S.C. § 841(a)(1) & (b)(1)(A)(vi) – PWID Fentanyl  
21 U.S.C. § 841(a)(1), (b)(1)(B)(i), (ii) – PWID Heroin, Cocaine  
21 U.S.C. § 841(a)(1), (b)(1)(B)(viii) – PWID & Dist. Meth  
21 U.S.C. § 841(a)(1), (b)(1)(C) – PWID & Dist. Meth

- Petty  
 Minor  
 Misdemeanor  
 Felony

PENALTY: See attachment (Counts 1-4, 7-8)

Name of District Court, and/or Judge/Magistrate Location \_\_\_\_\_

NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO DIVISION

## DEFENDANT - U.S.

Melvin Alexis Diaz Arteaga

DISTRICT COURT NUMBER

CR 23 0002

JAN 05 2023  
CLERK, U.S. DISTRICT COURT  
NORTH DISTRICT OF CALIFORNIA  
OAKLAND OFFICE

JSC

## PROCEEDING

Name of Complainant Agency, or Person (&amp; Title, if any)

DEA TFO Michael Cunnie

 person is awaiting trial in another Federal or State Court,  
give name of court \_\_\_\_\_ this person/proceeding is transferred from another district  
per (circle one) FRCrp 20, 21, or 40. Show District  
\_\_\_\_\_ this is a reprocution of  
charges previously dismissed  
which were dismissed on motion  
of: U.S. ATTORNEY  DEFENSESHOW  
DOCKET NO.  
\_\_\_\_\_ this prosecution relates to a  
pending case involving this same  
defendant prior proceedings or appearance(s)  
before U.S. Magistrate regarding this  
defendant were recorded underMAGISTRATE  
CASE NO.  
3:22-mj-71287Name and Office of Person  
Furnishing Information on this form \_\_\_\_\_ Stephanie M. Hinds U.S. Attorney  Other U.S. AgencyName of Assistant U.S.  
Attorney (if assigned) \_\_\_\_\_ Nicholas M. Parker

## ADDITIONAL INFORMATION OR COMMENTS

## PROCESS:

 SUMMONS  NO PROCESS\*  WARRANT

Bail Amount: \_\_\_\_\_

If Summons, complete following:

 Arraignment  Initial Appearance

\* Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Defendant Address:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Date/Time: \_\_\_\_\_ Before Judge: \_\_\_\_\_

Comments:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

U.S. v. Melvin DIAZ, Gustavo ERAZO, and Luis ERAZO-CENTENO  
**Maximum Penalties**

Counts 1-2 (DIAZ and ERAZO):

- Imprisonment: **Min. 10 years – Max. life** (21 U.S.C. §§ 841(b)(1)(A), 846)
- Fine: **\$10 million** (21 U.S.C. §§ 841(b)(1)(A), 846)
- Supervised Release: **Min. 5 years – Max. life** (21 U.S.C. §§ 841(b)(1)(A), 846)
- Special Assessment: **\$100** (18 U.S.C. § 3013(a)(2)(A))
- Forfeiture 21 U.S.C. § 853(a)
- Deportation
- Denial of Federal Benefits

Counts 3-4 (DIAZ and ERAZO):

- Imprisonment: **Min. 5 years – Max. 40 years** (21 U.S.C. § 841(b)(1)(B))
- Fine: **\$5 million** (21 U.S.C. § 841(b)(1)(B))
- Supervised Release: **Min. 4 years – Max. life** (21 U.S.C. § 841(b)(1)(B))
- Special Assessment: **\$100** (18 U.S.C. § 3013(a)(2)(A))
- Forfeiture 21 U.S.C. § 853(a)
- Deportation
- Denial of Federal Benefits

Count 5 (ERAZO-CENTENO):

- Imprisonment: **20 years** (21 U.S.C. § 841(b)(1)(C))
- Fine: **\$1 million** (21 U.S.C. § 841(b)(1)(C))
- Supervised Release: **Min. 3 years – Max. life** (21 U.S.C. § 841(b)(1)(C))
- Special Assessment: **\$100** (18 U.S.C. § 3013(a)(2)(A))
- Forfeiture 21 U.S.C. § 853(a)
- Deportation
- Denial of Federal Benefits

**Count 6** (ERAZO-CENTENO):

- Imprisonment: **10 years** (18 U.S.C. § 3; 21 U.S.C. § 841(b)(1)(C))
- Fine: **\$500,000** (18 U.S.C. § 3; 21 U.S.C. § 841(b)(1)(C))
- Supervised Release: **3 years** (18 U.S.C. § 3583(b)(2))
- Special Assessment: **\$100** (18 U.S.C. § 3013(a)(2)(A))
- Forfeiture

**Count 7** (DIAZ):

- Imprisonment: **Min. 5 years – Max. 40 years** (21 U.S.C. § 841(b)(1)(B))
- Fine: **\$5 million** (21 U.S.C. § 841(b)(1)(B))
- Supervised Release: **Min. 4 years – Max. life** (21 U.S.C. § 841(b)(1)(B))
- Special Assessment: **\$100** (18 U.S.C. § 3013(a)(2)(A))
- Forfeiture
- Deportation
- Denial of Federal Benefits

**Count 8** (DIAZ):

- Imprisonment: **20 years** (21 U.S.C. § 841(b)(1)(C))
- Fine: **\$1 million** (21 U.S.C. § 841(b)(1)(C))
- Supervised Release: **Min. 3 years – Max. life** (21 U.S.C. § 841(b)(1)(C))
- Special Assessment: **\$100** (18 U.S.C. § 3013(a)(2)(A))
- Forfeiture
- Deportation
- Denial of Federal Benefits

## DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT

BY:  COMPLAINT  INFORMATION  INDICTMENT  
 SUPERSEDING

## OFFENSE CHARGED

21 U.S.C. §§ 846, 841(a)(1), (b)(1)(A)(vi) – Conspiracy to Dist.  
& Possess w/ Intent to Dist. Fentanyl  
21 U.S.C. § 841(a)(1), (b)(1)(A)(vi) – Possess w/ Intent to Dist.  
Fentanyl  
21 U.S.C. § 841(a)(1), (b)(1)(B)(i), (ii) – Possess w/ Intent to  
Dist. Heroin and Cocaine

- Petty  
 Minor  
 Misdemeanor  
 Felony

PENALTY: See attachment (Counts 1-4)

Name of District Court, and/or Judge/Magistrate Location

NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO DIVISION

FILED  
JAN 05 2023  
CLERK, U.S. DISTRICT COURT  
NORTH OAKLAND OFFICE

## DEFENDANT - U.S.

Gustavo Erazo

DISTRICT COURT NUMBER

CR 23 0002

JSC

## DEFENDANT

## IS NOT IN CUSTODY

Has not been arrested, pending outcome this proceeding.

- 1)  If not detained give date any prior summons was served on above charges →  
2)  Is a Fugitive  
3)  Is on Bail or Release from (show District)

## IS IN CUSTODY

- 4)  On this charge  
5)  On another conviction }       Federal  State  
6)  Awaiting trial on other charges  
If answer to (6) is "Yes", show name of institution

Has detainer  Yes  
been filed?  No

} If "Yes"  
give date  
filed

DATE OF  
ARREST

Month/Day/Year

MAGISTRATE  
CASE NO.

3:22-mj-71495

DATE TRANSFERRED  
TO U.S. CUSTODY

Month/Day/Year

This report amends AO 257 previously submitted

Name and Office of Person  
Furnishing Information on this form Stephanie M. Hinds

U.S. Attorney  Other U.S. Agency

Name of Assistant U.S.  
Attorney (if assigned) Nicholas M. Parker

## ADDITIONAL INFORMATION OR COMMENTS

## PROCESS:

SUMMONS  NO PROCESS\*  WARRANT

Bail Amount: No bail

If Summons, complete following:

Arraignment  Initial Appearance

\* Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Defendant Address:

Date/Time: \_\_\_\_\_ Before Judge: \_\_\_\_\_

Comments:

U.S. v. Melvin DIAZ, Gustavo ERAZO, and Luis ERAZO-CENTENO  
**Maximum Penalties**

**Counts 1-2 (DIAZ and ERAZO):**

- Imprisonment: **Min. 10 years – Max. life** (21 U.S.C. §§ 841(b)(1)(A), 846)
- Fine: **\$10 million** (21 U.S.C. §§ 841(b)(1)(A), 846)
- Supervised Release: **Min. 5 years – Max. life** (21 U.S.C. §§ 841(b)(1)(A), 846)
- Special Assessment: **\$100** (18 U.S.C. § 3013(a)(2)(A))
- Forfeiture 21 U.S.C. § 853(a)
- Deportation
- Denial of Federal Benefits

**Counts 3-4 (DIAZ and ERAZO):**

- Imprisonment: **Min. 5 years – Max. 40 years** (21 U.S.C. § 841(b)(1)(B))
- Fine: **\$5 million** (21 U.S.C. § 841(b)(1)(B))
- Supervised Release: **Min. 4 years – Max. life** (21 U.S.C. § 841(b)(1)(B))
- Special Assessment: **\$100** (18 U.S.C. § 3013(a)(2)(A))
- Forfeiture 21 U.S.C. § 853(a)
- Deportation
- Denial of Federal Benefits

**Count 5 (ERAZO-CENTENO):**

- Imprisonment: **20 years** (21 U.S.C. § 841(b)(1)(C))
- Fine: **\$1 million** (21 U.S.C. § 841(b)(1)(C))
- Supervised Release: **Min. 3 years – Max. life** (21 U.S.C. § 841(b)(1)(C))
- Special Assessment: **\$100** (18 U.S.C. § 3013(a)(2)(A))
- Forfeiture 21 U.S.C. § 853(a)
- Deportation
- Denial of Federal Benefits

**Count 6 (ERAZO-CENTENO):**

- Imprisonment: **10 years** (18 U.S.C. § 3; 21 U.S.C. § 841(b)(1)(C))
- Fine: **\$500,000** (18 U.S.C. § 3; 21 U.S.C. § 841(b)(1)(C))
- Supervised Release: **3 years** (18 U.S.C. § 3583(b)(2))
- Special Assessment: **\$100** (18 U.S.C. § 3013(a)(2)(A))
- **Forfeiture**

**Count 7 (DIAZ):**

- Imprisonment: **Min. 5 years – Max. 40 years** (21 U.S.C. § 841(b)(1)(B))
- Fine: **\$5 million** (21 U.S.C. § 841(b)(1)(B))
- Supervised Release: **Min. 4 years – Max. life** (21 U.S.C. § 841(b)(1)(B))
- Special Assessment: **\$100** (18 U.S.C. § 3013(a)(2)(A))
- **Forfeiture**
- **Deportation**
- **Denial of Federal Benefits**

**Count 8 (DIAZ):**

- Imprisonment: **20 years** (21 U.S.C. § 841(b)(1)(C))
- Fine: **\$1 million** (21 U.S.C. § 841(b)(1)(C))
- Supervised Release: **Min. 3 years – Max. life** (21 U.S.C. § 841(b)(1)(C))
- Special Assessment: **\$100** (18 U.S.C. § 3013(a)(2)(A))
- **Forfeiture**
- **Deportation**
- **Denial of Federal Benefits**

## DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT

BY:  COMPLAINT  INFORMATION  INDICTMENT  
 SUPERSEDING

## OFFENSE CHARGED

21 U.S.C. § 841(a)(1), (b)(1)(C) – Possession with Intent to Distribute Fentanyl

18 U.S.C. § 3 – Accessory After the Fact

PENALTY: See attachment (Counts 5-6)

- Petty  
 Minor  
 Misdemeanor  
 Felony

Name of District Court, and/or Judge/Magistrate Location

NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO DIVISION

## DEFENDANT - U.S.

Luis Almicar Erazo-Centeno

DISTRICT COURT NUMBER

CR 23 0002

JSC

## PROCEEDING

Name of Complainant Agency, or Person (& Title, if any)

DEA TFO Michael Cunnie

person is awaiting trial in another Federal or State Court, give name of court

this person/proceeding is transferred from another district per (circle one) FRCrP 20, 21, or 40. Show District

this is a reprocsecution of charges previously dismissed which were dismissed on motion of:

U.S. ATTORNEY  DEFENSE

this prosecution relates to a pending case involving this same defendant

prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under

SHOW DOCKET NO.

MAGISTRATE CASE NO.

Name and Office of Person Furnishing Information on this form Stephanie M. Hinds

U.S. Attorney  Other U.S. Agency

Name of Assistant U.S. Attorney (if assigned) Nicholas M. Parker

## PROCESS:

SUMMONS  NO PROCESS\*  WARRANT

If Summons, complete following:

Arraignment  Initial Appearance

Defendant Address:

Bail Amount: \_\_\_\_\_

\* Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Date/Time: \_\_\_\_\_ Before Judge: \_\_\_\_\_

Comments:

FILED  
JAN 05 2023  
CLERK, U.S. DISTRICT COURT  
NORTH OAKLAND OFFICE  
X

## DEFENDANT

## IS NOT IN CUSTODY

Has not been arrested, pending outcome this proceeding.

- 1)  If not detained give date any prior summons was served on above charges →  
 2)  Is a Fugitive  
 3)  Is on Bail or Release from (show District)

## IS IN CUSTODY

- 4)  On this charge  
 5)  On another conviction }  Federal  State  
 6)  Awaiting trial on other charges  
 If answer to (6) is "Yes", show name of institution

Santa Rita Jail

Has detainer  Yes  
 been filed?  No

} If "Yes"  
 give date  
 filed

DATE OF  
ARREST

Month/Day/Year  
 Nov. 16, 2022

Or... if Arresting Agency & Warrant were not

DATE TRANSFERRED  
TO U.S. CUSTODY

Month/Day/Year

This report amends AO 257 previously submitted

U.S. v. Melvin DIAZ, Gustavo ERAZO, and Luis ERAZO-CENTENO  
**Maximum Penalties**

Counts 1-2 (DIAZ and ERAZO):

- Imprisonment: **Min. 10 years – Max. life** (21 U.S.C. §§ 841(b)(1)(A), 846)
- Fine: **\$10 million** (21 U.S.C. §§ 841(b)(1)(A), 846)
- Supervised Release: **Min. 5 years – Max. life** (21 U.S.C. §§ 841(b)(1)(A), 846)
- Special Assessment: **\$100** (18 U.S.C. § 3013(a)(2)(A))
- **Forfeiture** 21 U.S.C. § 853(a)
- **Deportation**
- **Denial of Federal Benefits**

Counts 3-4 (DIAZ and ERAZO):

- Imprisonment: **Min. 5 years – Max. 40 years** (21 U.S.C. § 841(b)(1)(B))
- Fine: **\$5 million** (21 U.S.C. § 841(b)(1)(B))
- Supervised Release: **Min. 4 years – Max. life** (21 U.S.C. § 841(b)(1)(B))
- Special Assessment: **\$100** (18 U.S.C. § 3013(a)(2)(A))
- **Forfeiture** 21 U.S.C. § 853(a)
- **Deportation**
- **Denial of Federal Benefits**

Count 5 (ERAZO-CENTENO):

- Imprisonment: **20 years** (21 U.S.C. § 841(b)(1)(C))
- Fine: **\$1 million** (21 U.S.C. § 841(b)(1)(C))
- Supervised Release: **Min. 3 years – Max. life** (21 U.S.C. § 841(b)(1)(C))
- Special Assessment: **\$100** (18 U.S.C. § 3013(a)(2)(A))
- **Forfeiture** 21 U.S.C. § 853(a)
- **Deportation**
- **Denial of Federal Benefits**

**Count 6** (ERAZO-CENTENO):

- Imprisonment: **10 years** (18 U.S.C. § 3; 21 U.S.C. § 841(b)(1)(C))
- Fine: **\$500,000** (18 U.S.C. § 3; 21 U.S.C. § 841(b)(1)(C))
- Supervised Release: **3 years** (18 U.S.C. § 3583(b)(2))
- Special Assessment: **\$100** (18 U.S.C. § 3013(a)(2)(A))
- Forfeiture

**Count 7** (DIAZ):

- Imprisonment: **Min. 5 years – Max. 40 years** (21 U.S.C. § 841(b)(1)(B))
- Fine: **\$5 million** (21 U.S.C. § 841(b)(1)(B))
- Supervised Release: **Min. 4 years – Max. life** (21 U.S.C. § 841(b)(1)(B))
- Special Assessment: **\$100** (18 U.S.C. § 3013(a)(2)(A))
- Forfeiture
- Deportation
- Denial of Federal Benefits

**Count 8** (DIAZ):

- Imprisonment: **20 years** (21 U.S.C. § 841(b)(1)(C))
- Fine: **\$1 million** (21 U.S.C. § 841(b)(1)(C))
- Supervised Release: **Min. 3 years – Max. life** (21 U.S.C. § 841(b)(1)(C))
- Special Assessment: **\$100** (18 U.S.C. § 3013(a)(2)(A))
- Forfeiture
- Deportation
- Denial of Federal Benefits

# United States District Court FILED

FOR THE  
NORTHERN DISTRICT OF CALIFORNIA

VENUE: SAN FRANCISCO

JAN 05 2023

CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

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UNITED STATES OF AMERICA,

v.

MELVIN ALEXIS DIAZ ARTEAGA;  
GUSTAVO ERAZO; and  
LUIS ALMICAR ERAZO-CENTENO

CR 23 0002 USC

DEFENDANT(S).

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## INDICTMENT

21 U.S.C. §§ 846, 841(a)(1), (b)(1)(A)(vi) – Conspiracy to Dist. & P.W.I.D. Fentanyl  
21 U.S.C. § 841(a)(1), (b)(1)(A)(vi) – P.W.I.D. Fentanyl  
21 U.S.C. § 841(a)(1), (b)(1)(B)(i), (ii) – P.W.I.D. Heroin and Cocaine  
21 U.S.C. § 841(a)(1), (b)(1)(C) – P.W.I.D. Fentanyl  
18 U.S.C. § 3 – Accessory After the Fact  
21 U.S.C. § 841(a)(1), (b)(1)(B)(viii) – P.W.I.D. and Dist. of Methamphetamine  
21 U.S.C. § 841(a)(1), (b)(1)(C) – P.W.I.D. and Dist. of Methamphetamine  
21 U.S.C. § 853 – Forfeiture Allegation

*/s/*  
A true bill.

/s/ Foreperson of the Grand Jury

Foreman

Filed in open court this 5th day of

January, 2023

*Willie*

Clerk

Bail, \$ Warrant (1)

*Kandis Westmore*  
Hon. Kandis A. Westmore, U.S. Magistrate Judge

1 STEPHANIE M. HINDS (CABN 154284)  
2 United States Attorney  
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FILED

JAN 05 2023 JSC

CLERK, U.S. DISTRICT COURT  
NORTH DISTRICT OF CALIFORNIA  
OAKLAND OFFICE

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

MELVIN ALEXIS DIAZ ARTEAGA;  
GUSTAVO ERAZO; and  
LUIS ALMICAR ERAZO-CENTENO,

Defendants.

) CASE NO. CR 23 0002 JSC  
})  
}) VIOLATIONS:  
}) 21 U.S.C. §§ 846, 841(a)(1) and (b)(1)(A)(vi) –  
}) Conspiracy to Distribute and Possess with Intent to  
}) Distribute 400 Grams and More of a Mixture and  
}) Substance Containing Fentanyl;  
}) 21 U.S.C. § 841(a)(1) and (b)(1)(A)(vi) – Possession  
}) with Intent to Distribute 400 Grams and More of a  
}) Mixture and Substance Containing Fentanyl;  
}) 21 U.S.C. § 841(a)(1) and (b)(1)(B)(i) – Possession  
}) with Intent to Distribute 100 Grams and More of a  
}) Mixture and Substance Containing Heroin;  
}) 21 U.S.C. § 841(a)(1) and (b)(1)(B)(ii) – Possession  
}) with Intent to Distribute 500 Grams and More of a  
}) Mixture and Substance Containing Cocaine;  
}) 21 U.S.C. § 841(a)(1) and (b)(1)(C) – Possession with  
}) Intent to Distribute a Mixture and Substance  
}) Containing Fentanyl;  
}) 18 U.S.C. § 3 – Accessory After the Fact;  
}) 21 U.S.C. § 841(a)(1) and (b)(1)(B)(viii) – Possession  
}) with Intent to Distribute and Distribution of 50 Grams  
}) and More of a Mixture and Substance Containing  
}) Methamphetamine;  
}) 21 U.S.C. § 841(a)(1) and (b)(1)(C) – Possession with  
}) Intent to Distribute and Distribution of a Mixture and  
}) Substance Containing Methamphetamine;  
}) 21 U.S.C. § 853 – Forfeiture Allegation  
})  
})  
})

## INDICTMENT

## 2 | The Grand Jury charges:

5 Beginning on a date unknown but no later than on or about September 16, 2022, and continuing  
6 to on or about November 16, 2022, in the Northern District of California, the defendants,

MELVIN ALEXIS DIAZ ARTEAGA; and  
GUSTAVO ERAZO,

9 and others known and unknown to the Grand Jury, did knowingly and intentionally conspire to distribute  
10 and possess with intent to distribute 400 grams and more of a mixture and substance containing a  
11 detectable amount of N-phenyl-N- [ 1- ( 2-phenylethyl ) -4-piperidinyl ] propanamide, also known as  
12 fentanyl, a Schedule II controlled substance, in violation of Title 21, United States Code, Sections 846,  
13 841(a)(1), and (b)(1)(A)(vi).

14 COUNT TWO: (21 U.S.C. § 841(a)(1) and (b)(1)(A)(vi) – Possession with Intent to Distribute  
400 Grams and More of a Mixture and Substance Containing Fentanyl)

On or about November 16, 2022, in the Northern District of California, the defendants,

MELVIN ALEXIS DIAZ ARTEAGA; and  
GUSTAVO ERAZO,

18 did knowingly and intentionally possess with intent to distribute 400 grams and more of a mixture and  
19 substance containing a detectable amount of N-phenyl-N- [ 1- ( 2-phenylethyl ) -4-piperidinyl ]  
20 propanamide, also known as fentanyl, a Schedule II controlled substance, in violation of Title 21, United  
21 States Code, Section 841(a)(1) and (b)(1)(A)(vi).

22 COUNT THREE: (21 U.S.C. § 841(a)(1) and (b)(1)(B)(i) – Possession with Intent to Distribute 100 Grams and More of a Mixture and Substance Containing Heroin)

On or about November 16, 2022, in the Northern District of California, the defendants,

MELVIN ALEXIS DIAZ ARTEAGA; and  
GUSTAVO ERAZO,

26 did knowingly and intentionally possess with intent to distribute 100 grams and more of a mixture and  
27 substance containing a detectable amount of heroin, a Schedule I controlled substance, in violation of  
28 Title 21, United States Code, Section 841(a)(1) and (b)(1)(B)(i).

COUNT FOUR: (21 U.S.C. § 841(a)(1) and (b)(1)(B)(ii) – Possession with Intent to Distribute 500 Grams and More of a Mixture and Substance Containing Cocaine)

On or about November 16, 2022, in the Northern District of California, the defendants,

MELVIN ALEXIS DIAZ ARTEAGA; and  
GUSTAVO ERAZO,

did knowingly and intentionally possess with intent to distribute 500 grams and more of a mixture and substance containing a detectable amount of cocaine, its salts, optical and geometric isomers, and salts of its isomers, a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(a)(1) and (b)(1)(B)(ii).

COUNT FIVE: (21 U.S.C. § 841(a)(1) and (b)(1)(C) – Possession with Intent to Distribute a Mixture and Substance Containing Fentanyl)

On or about November 16, 2022, in the Northern District of California, the defendant,

LUIS ALMICAR ERAZO-CENTENO,

did knowingly and intentionally possess with intent to distribute a mixture and substance containing a detectable amount of N-phenyl-N- [ 1- ( 2-phenylethyl ) -4-piperidinyl ] propanamide, also known as fentanyl, a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(a)(1) and (b)(1)(C).

COUNT SIX: (18 U.S.C. § 3 – Accessory After the Fact)

On or about November 16, 2022, in the Northern District of California, the defendant,

LUIS ALMICAR ERAZO-CENTENO,

knowing that an offense against the United States had been committed, to wit, possession with intent to distribute a mixture and substance containing a detectable amount of N-phenyl-N- [ 1- ( 2-phenylethyl ) -4-piperidinyl ] propanamide, also known as fentanyl, a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(a)(1) and (b)(1)(C), did receive, relieve, comfort, and assist the offenders, MELVIN ALEXIS DIAZ ARTEAGA and GUSTAVO ERAZO, in order to hinder and prevent the offenders' apprehension, trial, and punishment.

All in violation of Title 18, United States Code, Section 3.

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COUNT SEVEN: (21 U.S.C. § 841(a)(1) and (b)(1)(B)(viii) – Possession with Intent to Distribute and Distribution of 50 Grams and More of a Mixture and Substance Containing Methamphetamine)

On or about September 20, 2022, in the Northern District of California, the defendant,

MELVIN ALEXIS DIAZ ARTEAGA,

did knowingly and intentionally distribute and possess with intent to distribute 50 grams and more of a mixture and substance containing a detectable amount of methamphetamine, its salts, isomers, and salts of its isomers, a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(a)(1) and (b)(1)(B)(viii).

COUNT EIGHT: (21 U.S.C. § 841(a)(1) and (b)(1)(C) – Possession with Intent to Distribute and Distribution of a Mixture and Substance Containing Methamphetamine)

On or about October 5, 2022, in the Northern District of California, the defendant,

MELVIN ALEXIS DIAZ ARTEAGA,

did knowingly and intentionally distribute and possess with intent to distribute a mixture and substance containing a detectable amount of methamphetamine, its salts, isomers, and salts of its isomers, a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(a)(1) and (b)(1)(C).

**FORFEITURE ALLEGATION:** (21 U.S.C. § 853(a))

The allegations contained above are hereby re-alleged and incorporated by reference for the purpose of alleging forfeiture pursuant to Title 21, United States Code, Section 853(a).

1. Upon conviction of any of the offenses alleged in Counts 1–8, above, the defendants,

MELVIN ALEXIS DIAZ ARTEAGA;  
GUSTAVO ERAZO; and  
LUIS ALMICAR ERAZO-CENTENO,

shall forfeit to the United States all right, title, and interest in any property constituting and derived from any proceeds defendants obtained, directly or indirectly, as a result of such violations, and any property used, or intended to be used, in any manner or part, to commit or to facilitate the commission of such violations, including but not limited to a forfeiture money judgment and \$50,086 of U.S. Currency.

2. Upon conviction of any of the offenses alleged in Counts One, Two, Three, Four, Seven, and Eight, above, the defendants,

MELVIN ALEXIS DIAZ ARTEAGA; and  
GUSTAVO ERAZO,

3 shall forfeit to the United States all right, title, and interest in any property constituting and derived from  
4 any proceeds defendants obtained, directly or indirectly, as a result of such violations, and any property  
5 used, or intended to be used, in any manner or part, to commit or to facilitate the commission of such  
6 violations, including but not limited to a forfeiture money judgment and the following:

- a. Two semi-automatic firearms recovered by law enforcement from 2130 Ashby Avenue, Apartment #8, Berkeley, California, 94705, on November 16, 2022; and
  - b. Ammunition recovered by law enforcement from 2130 Ashby Avenue, Apartment #8, Berkeley, California, 94705, on November 16, 2022.

11           3. If any of the property described above, as a result of any act or omission of the  
12 defendants:

- a. cannot be located upon exercise of due diligence;
  - b. has been transferred or sold to, or deposited with, a third party;
  - c. has been placed beyond the jurisdiction of the court;
  - d. has been substantially diminished in value; or
  - e. has been commingled with other property which cannot be divided without difficulty,

19 the United States of America shall be entitled to forfeiture of substitute property pursuant to Title 21,  
20 United States Code, Section 853(p).

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1 All pursuant to Title 21, United States Code, Section 853, and Federal Rule of Criminal  
2 Procedure 32.2.

3

4 DATED: January 5, 2023

A TRUE BILL.

5 *15/*  
6 */s/ Foreperson*  
7 FOREPERSON  
8 Oakland, California

9 STEPHANIE M. HINDS  
10 United States Attorney

11 */s/ Nicholas Parker*  
12 NICHOLAS M. PARKER  
13 Assistant United States Attorney

FILED  
JAN 05 2023 *Y*

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

CLERK, U.S. DISTRICT COURT  
NORTH DISTRICT OF CALIFORNIA  
OAKLAND OFFICE

CRIMINAL COVER SHEET

**Instructions:** Effective November 1, 2016, this Criminal Cover Sheet must be completed and submitted, along with the Defendant Information Form, for each new criminal case.

CASE NAME:

USA v. Diaz; Erazo; and Erazo-Centeno

CASE NUMBER:

CR 23 0002 USC

Is This Case Under Seal?

Yes      No

Total Number of Defendants:

1      2-7       8 or more

Does this case involve ONLY charges  
under 8 U.S.C. § 1325 and/or 1326?

Yes      No

Venue (Per Crim. L.R. 18-1):

SF  OAK      SJ

Is this a potential high-cost case?

Yes      No

Is any defendant charged with  
a death-penalty-eligible crime?

Yes      No

Is this a RICO Act gang case?

Yes      No

Assigned AUSA  
(Lead Attorney): Nicholas M. Parker

Date Submitted: Jan. 5, 2023

Comments:

Prior proceedings for defendant DIAZ were recorded under Case No. 3:22-mj-71287 MAG

Prior proceedings for defendant ERAZO were recorded under Case No. 3:22-mj-71495 MAG